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Governor

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Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

m/045/0008

October 14, 2008

Ms. Judy Edwards  
Director of RDCC  
State Office Building, Room 5110  
Salt Lake City, Utah 84114

Re: RDCC Project Number 9698, OGM Comments, U.S. Magnesium Site (Superfund) EPA Proposal to List

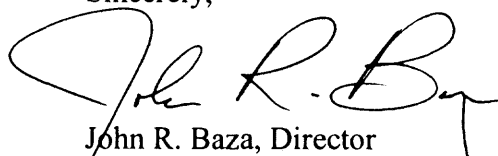
Dear Ms. Edwards:

The mission of the Utah Division of Oil, Gas and Mining (Division) is to regulate the exploration and development of coal, oil and gas, and other minerals in a manner which 1) encourages responsible reclamation and development; 2) protects correlative rights; 3) prevents waste; and 4) protects human health and safety, the environment, and the interests of the state and its citizens. It is with this charge in mind the Division submits the following comments for consideration.

The Minerals Program regulates the exploration for, development of, or extraction of a mineral deposit, including, but not limited to, surface mining and the surface effects of underground and in situ mining; on-site transportation, concentrating, milling, evaporation, and other primary processing; however we do not regulate smelting or refining operations. U. S. Magnesium, LLC currently has a permit to conduct mining and reclamation activities in the state of Utah. The Division has a reclamation bond and conducts periodic inspections of the mining portion of the operation. For this reason, we would like to be kept informed of any actions associated with U. S. Magnesium and the National Priorities List.

We appreciate the opportunity to comment on this effort. If you have any questions in this regard please contact me at 801-538-5334.

Sincerely,



John R. Baza, Director  
Division of Oil, Gas and Mining

JRB:SW:jac

cc: Carolyn Wright  
M0450008, outgoing

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